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SKYWEST AIRLINES, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**SKYWEST PILOTS ALPA ORGANIZING  
COMMITTEE, et al.,**

Case No. C-07-2688 CRB

**Plaintiffs,**

**DEFENDANT SKYWEST AIRLINES,  
INC.'S *EX PARTE* MOTION TO EXCEED  
PAGE LIMITATIONS SET FORTH IN  
LOCAL RULE 7-3(a)**

**VS.**  
**SKYWEST AIRLINES, INC.,**

Defendant.

Judge: Hon. Charles R. Breyer

Action Filed: May 22, 2007

1 TO THE HONORABLE CHARLES R. BREYER:

2 Pursuant to Local Rule 7-11, Defendant SkyWest Airlines, Inc. "SkyWest" seeks an order  
 3 authorizing it to file an opposition in excess of the 25-page limit set forth by Local Rule 7-3(a).  
 4 Because this Motion deals solely with an administrative request, SkyWest respectfully submits that it  
 5 is appropriate for consideration on an ex parte basis. The Court already granted previous SkyWest's  
 6 motion to file an oversized brief in opposition to Plaintiffs' motion for a preliminary injunction.  
 7 SkyWest is filing this request out of an abundance of caution because it now seeks to file an  
 8 amended brief that is in excess of the 25 page limit.

9 **RELIEF REQUESTED**

10 With this motion, SkyWest seeks entry of an order permitting it to file an amended  
 11 opposition that exceeds the twenty-five page limit established by Local Rule 7-3(a).

12 **BACKGROUND**

13 Plaintiff SkyWest Pilots ALPA Organizing Committee ("SkyWest Pilots OC") and the  
 14 Airline Pilots Association ("ALPA") have been attempting to organize Defendant SkyWest Airlines,  
 15 Inc. ("SkyWest") for the past year. Declaration of Jeffrey MacDonald in support of Temporary  
 16 Restraining Order and Preliminary Injunction, ¶ 4. On May 22, 2007, SkyWest Pilots OC – along  
 17 with various individual plaintiffs – filed this suit alleging that SkyWest unlawfully supports the  
 18 SkyWest Airline Pilots Association ("SAPA"), and that SkyWest interferes with their expressive  
 19 activity by discriminating against Plaintiffs on the basis of their support for ALPA. (Complaint, ¶¶  
 20 42-50.) That same day, Plaintiffs came to the Court *ex parte* with their Motion for a Temporary  
 21 Restraining Order, which the Court granted without the benefit of briefing from SkyWest.  
 22 Following a hearing on SkyWest's Motion to Dissolve, this Court set a vigorous briefing schedule  
 23 requiring SkyWest to oppose Plaintiffs' Preliminary Injunction Motion, which raises a host of  
 24 threshold issues in addition to complex issues of labor law.

25 **ARGUMENT**

26 Local Rule 7-3(a) provides that motions shall not exceed twenty-five pages of text. This  
 27 page limit, however, can be enlarged at the Court's discretion. See Local Rule 7-11 (expressly

1 referencing "motions to exceed otherwise applicable page limitations"). SkyWest respectfully  
2 requests that it be excused from Local Rule 7-3(a)'s page limitation, for the following reasons. First,  
3 simply to brief the threshold issues ignored by Plaintiffs requires a substantial number of the 25-page  
4 allotment not usually necessary as issues of standing and jurisdiction would be briefed separately.  
5 Further, given that Plaintiffs were able to express their initial position to the Court *ex parte* without  
6 SkyWest having an opportunity to respond, in the interests of fairness, Local Rule 7-3(a)'s page  
7 limitation should be excused.

8 **CONCLUSION**

9 Given that SkyWest is at a disadvantage because of the surprise nature of the Temporary  
10 Restraining Order and the myriad issues Plaintiffs have not briefed but inform the outcome of the  
11 Preliminary Injunction Motion, SkyWest respectfully requests that the Court enter an order granting  
12 the relief requested herein, and such other and further relief as is just and proper.

13  
14 Dated: June 1, 2007

WINSTON & STRAWN LLP

15  
16 By: /s/ Robert Spagat  
17 Robert Spagat  
18 Attorneys for Defendant  
SKYWEST AIRLINES, INC.